Amendments to the Claims:

Please amend claims 8, 11, 13, 14, 16, 17, 19 and 21 and cancel claims 1-7, 9, 10 and 23-25 as shown in the following listing of claims. This listing of claims will replace all prior versions and listings of claims in the application:

1-7.   (cancelled)

8.   (currently amended) A method for providing a gain ~~to be generated by a gain control device located in at least one signal path of the system~~ for a communication signal, the method comprising ~~the steps of~~:

receiving a signal with an echo canceller device ~~in the signal path~~;

generating echo ~~canceller~~ performance information comprising at least an echo return loss (ERL) portion and an echo return loss enhancement (ERLE) portion;

summing the ERL and the ERLE to form a combined loss rate; and

~~sending the performance information to a gain control device in the signal path, wherein the performance information is used to generate a gain limit that is maximized in light of the information of the gain control~~ adjusting a gain to be provided to the signal based on the combined loss rate.

9-10.   (cancelled)

11.   (currently amended) The method of Claim ~~10~~ 8, wherein the step of generating the echo performance information includes utilizing a peak power estimator to provide the peak power for the tail end of a block of samples.

12.   (original) The method of Claim 11, wherein the step of generating the echo performance information includes utilizing a window power estimator to provide power estimate over a sliding area of a certain number of previous blocks and a certain number of current blocks.

13.   (currently amended) ~~The~~ A method of ~~Claim 9,~~ providing a gain for a communication signal, the method comprising:

receiving a signal with an echo canceller device;

~~wherein the step of~~ generating echo performance information ~~includes~~ utilizing a ~~near end~~ near-end detector[[,]];

adjusting a gain to be provided to the signal based on the echo performance information; and

setting the near-end detector to a certain time period if certain conditions are satisfied, said conditions including:

the ~~far-end~~ far-end window power being greater than a set level;

the ~~near-end~~ near-end window power being greater than the peak power of the far end; and

the window power after the echo canceller ~~to be~~ being within a certain amount of the window power before the echo canceller.

14.   (currently amended) The method of Claim 13, wherein the ~~near-end~~ time period of the near-end detector is set to around 250 msec.

15.   (original) The method of Claim 13, wherein the set level is around –36 dBm, and the certain amount is around 3 dB.

16.   (currently amended) The method of Claim 13, wherein if any of the conditions are not satisfied, ~~then~~ a hangover counter is set to a maximum value if a tonal signal is detected on the egress path, and decremented otherwise if greater than zero.

17.   (currently amended) ~~The~~ A method of ~~Claim 9,~~ providing a gain for a communication signal, the method comprising:

receiving a signal with an echo canceller device;

~~wherein the ERL estimate includes the steps of:~~

determining a long term echo return loss (ERL) level;

determining a short term ERL estimate;

determining a first long term ERL estimate ERLlt;

determining a second long term ERL estimate ERLc; and

~~denoting the ERL estimate as~~ adjusting a gain to be provided to the signal based at least in part on the larger of ERLlt and ERLc.

18.   (original) The method of Claim 17, wherein the first long term ERL estimate is equal to the shorter term ERL estimate filtered through a first order infinite impulse response filter having a certain coefficient.

19.   (currently amended) ~~The~~ A method of ~~Claim 17,~~ providing a gain for a communication signal, the method comprising:

receiving a signal with an echo canceller device;

~~wherein the ERLE estimate includes the steps of:~~

determining a long term echo return loss enhancement (ERLE) level;

determining a short term ERLE estimate;

determining a first long term ERLE estimate ERLElt;

determining a second long term ERLE estimate ~~ERLElt~~ ERLE'lt; and

~~denoting the ERLE estimate as~~ adjusting a gain to be provided to the signal based at least in part on the larger of ERLElt and ERLE'lt.

20.   (original) The method of Claim 19, wherein the first long term ERLE estimate is equal to the shorter term ERLE estimate filtered through a first order infinite impulse response filter having a certain coefficient.

21.   (currently amended) The method of Claim ~~10~~ 8, wherein a maximum gain is determined by the steps of:

subtracting an offset from the combined loss rate to form a gain quantity;

determining a maximum gain that will still provide stability for the system;

setting the gain control device gain to the lesser of gain quantity and the maximum gain.

22.   (original) The method of Claim 21, wherein the offset is approximately 6 dB, and the maximum gain is approximately 24 dB.

23-25. (cancelled)